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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-----------------------------|------------------|
| 09/746,563 | 12/22/2000 | William E. Glenn | FAU-7038/42 | 1691 |
| 7590 08/10/2006 | | | | |
| MARTIN NOVACK, Esq. 16355 VINTAGE OAKS LANE DELRAY BEACH, FL 33484 | | | EXAMINER HENN, TIMOTHY J | |
| | | | ART UNIT 2622 | PAPER NUMBER |
| DATE MAILED: 08/10/2006 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,563

Applicant(s)

GLENN, WILLIAM E.

Examiner

Timothy J. Henn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 15-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by Suga et al. (US 5,132,803).

[claim 15]

Regarding claim 15, Suga discloses an apparatus for producing electronic video signals representative of color images of a scene (Figure 8), comprising: a sensor having a color filter thereover (Figure 8, Item 114); a lens system that focuses light from the image onto the color filter and sensor (Figure 8, Item 110); and means for producing electronic video signals (e.g. Figure 8, Item 148; Figure 16); the sensor comprising a sensor array having alternate lines offset by half a pixel space, and diagonally coupled pixels on successive lines, and the color filter having repeating R, G and B patterns offset on successive lines so that R pixels are arranged diagonally, G pixels are arranged diagonally and B pixels are arranged diagonally (Figure 16, R, G and B pixels

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10C); the means for producing electronic video signals from the output of the sensor including a first register to which are connected solely R pixels, diagonally offset in alternating directions, for successive lines of a group of lines (Figure 16, Item 20R), a second register to which are connected solely G pixels, diagonally offset in alternating directions, for successive lines of a group of lines (Figure 16, Item 20G) and a third register to which are connected solely B pixels, diagonally offset in alternating directions, for successive lines of a group of lines (Figure 16, Item 20B).

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suga et al. (US 5,132,803) in view of Morisawa et al. (US 4,611,243).

[claim 16]

Regarding claim 16, Suga discloses all limitations except for a low pass prefilter interposed before the color filter. Morisawa teaches placing optical low-pass prefilters before image sensors in order to create moiré-free images (c. 3, ll. 20-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an optical low pass filter as taught by Morisawa to create moiré-free images.

[claim 18]

Regarding claim 18, Suga in view of Morisawa discloses the use of a lens system (Suga, Figure 8, Item 110), but does not specifically disclose that it is a "motion picture film camera type of lens system". Official Notice is taken that the use of lens systems, such as auto-focus lens systems and zoom lens systems is notoriously well known in the art to provide hassle free focusing and the ability to zoom in on a subject. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an auto-focus lens system or zoom lens system in the camera of Suga in view of Morisawa to provide hassle free focusing or the ability to zoom in on a subject. The examiner notes that as written claim 18 does not require any specific lens or lens system, instead the claim merely requires a "type" of lens which could be used in a motion picture camera. For example, focusing lenses and zoom lenses can be considered to be "types" of lenses which are used in motion picture cameras and which meet the limitations of the claim as written.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suga et al. (US 5,132,803).

[claim 17]

Regarding claim 17, Suga discloses the use of a lens system (Figure 8, Item 110), but does not specifically disclose that it is a "motion picture film camera type of lens system". Official Notice is taken that the use of lens systems, such as auto-focus lens systems and zoom lens systems is notoriously well known in the art to provide hassle free focusing and the ability to zoom in on a subject. Therefore, it would have

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been obvious to one of ordinary skill in the art at the time the invention was made to use an auto-focus lens system or zoom lens system in the camera of Suga to provide hassle free focusing or the ability to zoom in on a subject. The examiner notes that as written claim 17 does not require any specific lens or lens system, instead the claim merely requires a "type" of lens which could be used in a motion picture camera. For example, focusing lenses and zoom lenses can be considered to be "types" of lenses which are used in motion picture cameras and which meet the limitations of the claim as written.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Henn whose telephone number is (571) 272-7310. The examiner can normally be reached on M-F 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TJH
8/4/2006



VIVEK SRIVASTAVA
PRIMARY EXAMINER